

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**LATOYA BROWN; LAWRENCE BLACKMON
HERBERT ANTHONY GREEN; KHADAFY MANNING;
QUINETTA MANNING; MARVIN MCFIELD; NICHOLAS
SINGLETON; STEVEN SMITH; BESSIE THOMAS; and
BETTY JEAN WILLIAMS TUCKER, individually and on
behalf of a class of all other similarly situated,**

PLAINTIFFS

v.

CIVIL ACTION NO. 3:17-cv-347 WHB LRA

**MADISON COUNTY, MISSISSIPPI; SHERIFF
RANDALL C. TUCKER, in his official capacity; and
MADISON COUNTY SHERIFF'S DEPUTIES JOHN
DOES #1 through #6, in their individual capacities,**

DEFENDANTS

**MOTION FOR SUMMARY JUDGMENT AS TO INDIVIDUAL AND CLASS BASED
CLAIMS BY PLAINTIFF, BETTY JEAN WILLIAMS TUCKER**

COME NOW defendants Madison County, Mississippi, and Sheriff Randall C. Tucker, in his official capacity, (“Defendants”), and move this Court pursuant to Fed. R. Civ. P. 56(a) to enter summary judgment in their favor on all claims by Plaintiff, Betty Jean Williams Tucker (“Tucker”) in this action and would show unto the Court in support thereof the following:

1. Tucker claims violations of her Fourth and Fourteenth Amendment rights by personnel of the Madison County Sheriff’s Department (“MCSD”) under 42 U.S.C. § 1983 and intentional racial discrimination under Title VI of the Civil Rights Act of 1964. Tucker’s complaint alleges that the MCSD “implements a **coordinated top-down program** of methodically targeting Black individuals for suspicionless searches and seizures while they are driving their cars, walking in their neighborhoods, or even just spending time in their own homes (the “Policing Program”).” [Dkt. #1, ¶ 1 (emphasis in original)].

2. Tucker sues on behalf of herself and a purported class of individuals she defines as:

People who (1) are, or who appear to be, Black and those in their company, and (2) were, are, or will be in Madison County, and (3) were, are, or will be, subject to the MCSD's policy, custom, and/or practice of systematically executing unreasonable searches and seizures of person, homes, cars, and property on the basis of race.

3. Tucker seeks only injunctive and declaratory relief from Defendants on behalf of herself and members of the class she purports to represent. [Dkt. #1], at pp. 82-85.

4. Tucker brings three causes of action. The first two causes of action allege violations of 42 U.S.C. § 1983 by the MCSD infringing upon her Fourth and Fourteenth Amendment rights. The third cause of action alleges the MCSD has intentionally discriminated against her in violation of Title VI (42 U.S.C. § 2000d *et seq.*).

5. Tucker's claims are based upon two separate set of facts. First, Tucker alleges that roadblocks are set up and operated by the MCSD in a racially discriminatory manner, thereby violating the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution and Title VI. Tucker also alleges that these roadblocks violate the Fourth Amendment's prohibition of unreasonable searches and seizures. Second, Tucker alleges that MCSD narcotics officers, who she refers to as the "jump-out boys," have subjected her friends and family to unreasonable searches and seizures based on those individuals' race on two different occasions.

6. Tucker's claims regarding the MCSD roadblocks must be dismissed with prejudice pursuant to Fed. R. Civ. P. 56(a) for several reasons:

a. There are no facts to establish that the MCSD road blocks were operated in a manner that violated the Fourth Amendment's prohibition on unreasonable searches and seizures.

b. There are no facts to establish Tucker's claim that the MCSD road blocks violated the Fourteenth Amendment by intentionally discriminating against Blacks. This claim is based

on Tucker's subjective belief that the MCSD sets up roadblocks with the aim of intentionally discriminating against Blacks. She bases this belief on her not being aware of roadblocks being conducted in white neighborhoods and the fact that the only roadblocks she has encountered have been in Black neighborhoods. Neither of these bases is sufficient proof of intentional discrimination and her claim that MCSD roadblocks violate the Fourteenth Amendment fails as a matter of law.

7. Likewise, Tucker's claims regarding the "jump-out boys" must be dismissed with prejudice pursuant to Fed. R. Civ. P. 56(a) for several reasons:

a. Tucker was not the subject of the two allegedly unlawful searches and seizures allegedly executed by MCSD officers upon which she has based her claims, therefore she lacks standing to bring her Fourteenth Amendment and Title VI claims regarding those two incidents and those claims fail as a matter of law.

b. Similarly, Fourth Amendment rights are personal rights and because Tucker was not subject to the alleged unlawful searches and seizures by the "jump-out boys," her Fourth Amendment claims relating to these incidents fail as a matter of law.

c. Even if Tucker did have standing to assert her Fourth Amendment, Fourteenth Amendment, and Title VI claims, her claims would fail because Tucker has no evidence that the "jump-out boys" incidents violated any constitutional rights or constituted intentional discrimination. There are several lawful bases upon which the MCSD officers could have effectuated the alleged stops and searches in the manner in which Tucker describes. Furthermore, Tucker has no proof that such incidents constituted intentional discrimination by the MCSD. Accordingly, those claims fail as a matter of law.

d. Alternatively, even if Tucker did have standing, and such incidents did constitute

unreasonable searches or seizures or intentional discrimination, the three year statute of limitations on such claims has run and those claims are subject to being dismissed with prejudice for being time-barred.

8. In support of the instant Motion, Defendants have attached the following exhibits:

Exhibit A: Tucker Deposition Transcript¹

Exhibit B: Plaintiff Betty Jean Williams Tucker's Second Supplemental Responses and Objections to Defendants' First Set of Interrogatories

WHEREFORE, PREMISES CONSIDERED, this Court should dismiss all of Plaintiff Betty Jean Williams Tucker's claims against them with prejudice pursuant to Fed. R. Civ. P. 56(a).

Respectfully submitted this 12th day of March, 2018.

**MADISON COUNTY, MISSISSIPPI and
SHERIFF RANDALL C. TUCKER, IN
HIS OFFICIAL CAPACITY**

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¹ Portions of Tucker's deposition excerpts have been redacted since Plaintiffs designated those portions as confidential pursuant to a confidentiality order previously entered by this Court in this matter. See [Dkt. #32].

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CERTIFICATE OF SERVICE

I, Michael B. Wallace, hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following:

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So, certified this the 12th day of March, 2018.

s/ Michael B. Wallace
MICHAEL B. WALLACE

In the Matter of:
LATOYA BROWN
VERSUS
MADISON COUNTY, MISSISSIPPI, ET AL.

WILLIAMS, BETTY

December 19, 2017

eDeposition
.COM

844.533.DEPO
EXHIBIT "A"

LATOYA BROWN VERSUS MADISON COUNTY, MISSISSIPPI, ET AL.
Betty Williams - 12/19/2017

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
3 JACKSON DIVISION
4
5 LATOYA BROWN; LAWRENCE BLACKMON
6 HERBERT ANTHONY GREEN; KHADAFY MANNING;
7 QUINETTA MANNING; MARVIN MCFIELD;
8 NICHOLAS SINGLETON; STEVEN SMITH;
9 BESSIE THOMAS; and BETTY JEAN WILLIAMS
10 TUCKER, individually and on behalf of a
class of all other similarly situated, PLAINTIFFS

7 VERSUS CIVIL ACTION NO. 3:17-cv-347 WHB LRA
8 MADISON COUNTY, MISSISSIPPI;
9 SHERIFF RANDALL S. TUCKER, in his
10 official capacity; and MADISON COUNTY
SHERIFF'S DEPUTIES JOHN DOES #1 through #6,
in their individual capacities, DEFENDANTS

11

12

13 DEPOSITION OF BETTY JEAN WILLIAMS TUCKER

14 taken on December 19th, 2017,
15 commencing at approximately 9:00 a.m.
16 at the Law Offices of Wise, Carter, Child & Caraway
401 East Capitol Street
17 Suite 600
18 Jackson, Mississippi

19

20

21

22 REPORTED BY: BECKY LYNN LOGAN, RPR, CCR #1750
eDeposition Services
23 Post Office Box 14148
24 Jackson, MS 39236
(844) 533-DEPO
25 edeposition.com

LATOYA BROWN VERSUS MADISON COUNTY, MISSISSIPPI, ET AL.

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1	APPEARANCES	
2	JOSHUA TOM, ESQ. JTom@aclu-ms.org	1 TABLE OF CONTENTS
3	JADE MORGAN jmorgan@aclu-ms.org	2
4	AMERICAN CIVIL LIBERTIES UNION OF MISSISSIPPI FOUNDATION 233 East Capitol Street	3 Title Page..... 1
5	Jackson, MS 39201	4 Appearance..... 2
6	COUNSEL FOR PLAINTIFFS	5 Table of Contents..... 3
7	JAMES E. GRAVES, ESQ. jeg@wisecarter.com	6 Stipulations..... 5
8	CHARLES E. ROSS, ESQ. cer@wisecarter.com	7
9	WISE, CARTER, CHILD & CARAWAY 401 E. Capitol Street	8 EXAMINATION BY:
10	Suite 600 Jackson, MS 39201	9 Mr. Graves..... 6
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15	Jackson, MS 39232	14
16	COUNSEL FOR DEFENDANTS	15
17		16
18	ALSO PRESENT: RANDY TUCKER	17
19		18
20		19
21		20
22		21
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24		23
25		24
		25
1	STIPULATIONS	Page 4
2	It is hereby stipulated and agreed by and between	
3	the parties hereto, through their respective attorneys	
4	of record, that this deposition may be taken at the time	
5	and place hereinbefore set forth, by Becky Lynn Logan,	
6	Registered Professional Reporter and Notary Public,	
7	pursuant to the Federal Rules of Civil Procedure;	
8	That the formality of READING AND SIGNING is	
9	specifically NOT WAIVED;	
10	That all objections, except as to the form of	
11	the questions and the responsiveness of the answers, are	
12	reserved until such time as this deposition, or any part	
13	thereof, may be used or is sought to be used in	
14	evidence.	
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25		
1	BETTY JEAN WILLIAMS TUCKER	Page 5
2	after having been first duly sworn, was examined and	
3	testified as follows:	
4	EXAMINATION	
5	BY MR. GRAVES:	
6	Q. Ms. Tucker -- do you go by Tucker?	
7	A. Yes.	
8	Q. My name is James Graves. I don't think we have	
9	met before, but I'm one of the lawyers representing	
10	Madison County and the sheriff in this lawsuit. The	
11	first thing I'll ask you is, have you ever given a	
12	deposition before?	
13	A. No.	
14	Q. Well, there are a few ground rules. You're	
15	sworn in, so just like you would be if you were on the	
16	witness stand at trial, so you have to tell the truth.	
17	But other than that, it's a lot more informal.	
18	If you need to take a break at any time, let me	
19	know. If I ask you a question that you don't	
20	understand, you can tell me. It won't hurt my feelings.	
21	And I'll try to clear it up and get us back on track, if	
22	I can. But if you answer one of my questions, I'll	
23	assume you understood what I was asking. Is that fair?	
24	A. Yes.	
25	Q. The first thing I want you to do is tell me	

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	Page 6	Page 7
1	what your full name is.	
2	A. Betty Jean Williams Tucker.	1 DEPONENT: Three or four I don't know. Two --
3	Q. Betty Jean?	2 One or two I probably could, but three or four is too
4	A. Yes.	3 long for me.
5	Q. Williams Tucker?	4 MR. GRAVES: Well, I think what we'll do is try
6	A. Yes.	5 to get through what we can, and if we have to come back
7	Q. Tell me what your birth name is.	6 and finish up, we'll do that. I mean, I'll be here
8	A. Betty Jean Williams.	7 until I go to Virginia next week.
9	Q. And Tucker, is that your married name?	8 BY MR. GRAVES:
10	A. Yes.	9 Q. Well, let me ask you this: [REDACTED]
11	MR. TOM: Hey, James, let me tell you something	[REDACTED]
12	real quick.	[REDACTED]
13	MR. GRAVES: Sure.	[REDACTED]
14	MR. TOM: Ms. Tucker has recently had surgery,	[REDACTED]
15	and she's still recovering. She actually went to the	[REDACTED]
16	hospital this morning at 3:00 a.m. So there's a slight	[REDACTED]
17	chance that she may have to leave.	[REDACTED]
18	MR. GRAVES: Okay.	[REDACTED]
19	MR. TOM: This is going to be up to her. I	[REDACTED]
20	don't imagine anything coming up, but she is in poor	[REDACTED]
21	health. So I don't know how you want to handle that.	[REDACTED]
22	How do you feel right now, Ms. Tucker?	[REDACTED]
23	DEPONENT: I'm okay.	[REDACTED]
24	MR. TOM: Do you think you can make it through	[REDACTED]
25	maybe three hours -- three or four hours?	[REDACTED]

Page 8

1 Q. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

6 Q. Well, like I just told your lawyer, what I want
7 to do right now is go through as much as we can today.
8 A. Yes, that's fine.

9 Q. If at any point you feel like you need to stop
10 for today and for us to come back, let me know, and
11 we'll deal with it at that point.
12 A. Okay.

13 Q. But what I was going to ask you about, Tucker
14 you said is your married name. Are you currently
15 married now?
16 A. Yes, I am.

17 Q. Who is your husband?
18 A. Alva James Tucker.

19 Q. Alva James?
20 A. Yes.

21 Q. And what's his birth date?
22 A. [REDACTED]

23 Q. How long have you two been married?
24 A. Seven and a half years.

25 Q. Is that your first marriage?

1 A. Yes.
2 Q. Do you have kids?
3 A. Yes.
4 Q. What are your kids' names?
5 A. Kimla Williams.
6 Q. Kimla?
7 A. Yes, K-i-m-l-a.
8 Q. Kimla Williams. And who else?
9 A. KaShondra Williams, James Williams, Akesha
10 Williams.
11 Q. Akesha, could you spell that for me?
12 A. A-k-e-s-h-a. And Kara Williams, K-a-r-a.
13 Q. Let me go back through these one at a time.
14 Q. Kimla, what is her birthday?
15 A. Kimla is the [REDACTED] '74.
16 Q. [REDACTED]
[REDACTED]

18 Q. Where does she live?
19 A. She lives in Ridgeland.
20 Q. KaShondra, when is her birthday?
21 A. [REDACTED] 1975.
22 Q. Where does she live?
23 A. She lives in Ridgeland also.
24 Q. James, what's his birth date?
25 A. James' birthday is [REDACTED] 1979.

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1 Q. Where does he live? 2 A. He lives in Jackson. 3 Q. Akesha? 4 A. Akesha's birthday is [REDACTED] 1979. 5 Q. Where does she live? 6 A. She lives in Canton. 7 Q. And then Kara, what's her birthday? 8 A. Kara's birthday is [REDACTED] 1984. She 9 lives in Texas. 10 Q. Where do you live currently? 11 A. I live in Canton. 12 Q. At [REDACTED] 13 A. Yes. 14 Q. And how long have you lived there? 15 A. I have lived there since April of this year. 16 Q. Is that a house? 17 A. Yes, it is. 18 Q. Where did you live before that? 19 A. I lived at 112 King Ranch Circle. 20 Q. How long did you live there? 21 A. I lived there 25 years. 22 Q. And is that a house too? 23 A. Yes, it is. 24 Q. Now, who else lives with you at your current 25 address?	Page 10 1 A. My husband, Alva James Tucker. Two 2 granddaughters. 3 Q. What are their names? 4 A. [REDACTED] [REDACTED] [REDACTED] [REDACTED] 10 A. Yes. And Truman Williams. 11 Q. We'll go through these one at a time. Is that 12 all? 13 A. Yes. [REDACTED] [REDACTED] [REDACTED] [REDACTED] 25 Q. And then Truman? Page 12 1 A. Truman is my brother. He's 60 years old. 2 Q. And when you were living at King Ranch Circle, 3 who else lived with you? 4 A. No one other than those right there. 5 Q. The same group of people? 6 A. Yes. 7 Q. What did you do to prepare for this deposition 8 today? 9 A. What did I do? 10 Q. Yes, ma'am. 11 A. What do you mean? 12 Q. Did you meet with your attorneys? 13 A. Yes, I did. 14 Q. When did you do that? 15 A. Yesterday. 16 Q. What time was that? 17 A. It was after 2:00. 18 Q. How long did you meet with them? 19 A. For about two hours. 20 Q. Where was it? 21 A. At home. 22 Q. Your house? 23 A. Yes. 24 Q. Who was there? 25 A. Who was there? Page 13 1 Q. Which lawyers came by? 2 A. (Indicating.) 3 Q. Mr. Tom sitting here? 4 A. Yes. 5 Q. Did you look over any documents? 6 A. Yes, I did. 7 Q. Which documents did you look over? 8 A. I don't remember, but I remember I looked over 9 some. 10 Q. Did you grow up in the Canton area? 11 A. Yes, I did. 12 Q. Where did you go to high school? 13 A. Canton Public High. 14 Q. Did you graduate? 15 A. No. 16 Q. How far did you make it? 17 A. 12th grade. 18 Q. What did you do when you left high school? 19 A. I went to work. 20 Q. Where did you work? 21 A. Canton Manufacturing. 22 Q. Do you still work there? 23 A. No. 24 Q. How long did you work there? 25 A. 11 years.
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<p style="text-align: right;">Page 14</p> <p>1 Q. What did you do? 2 A. I was a spot welder. 3 Q. All right. I know I'm kind of jumping around, but I want to go back to your children. Kimla -- who is 5 Kimla's father? 6 A. Alva Tucker. 7 Q. KaShondra? 8 A. Alva Tucker. 9 Q. James? 10 A. Alva Tucker. 11 Q. Akesha? 12 A. I don't know Akesha's dad, now. 13 Q. And Kara? 14 A. Alva Tucker. 15 Q. All right. After you left Canton Manufacturing, where did you work? 16 A. I went to Presto Manufacturing Company. 17 Q. Presto? 18 A. Yes. 19 Q. How long did you work there? 20 A. About two years. 21 Q. What did you do there? 22 A. I was on an assembly line. 23 Q. Then what did you do? 24 A. I came back to -- I think I was working at the</p>	<p style="text-align: right;">Page 15</p> <p>1 nursing home. I went to the nursing home. 2 Q. Which nursing home was that? 3 A. Madison County Nursing Home. 4 Q. What did you do there? 5 A. I was a cook. 6 Q. How long did you work there? 7 A. I worked there for about five years. 8 Q. What year was it when you left high school? 9 A. What year was it? It was in 1975. 10 Q. What did you do after you left the nursing home? 11 A. I babysat my grandchildren. 12 Q. Have you had any other jobs since then? 13 A. Probably so, in between. 14 Q. You just don't remember which ones? 15 A. No. 16 Q. Are you currently working now? 17 A. No. 18 Q. When was the last time you worked? 19 A. Oh, it has been so long, I don't remember. 20 Q. I assume you never were in the military, right? 21 A. Right. 22 Q. Have you seen any -- I know you don't remember specifically what documents you went through yesterday 25 right now, but have you seen any policies or reviewed</p>
<p style="text-align: right;">Page 16</p> <p>1 any policies from the Madison County Sheriff's Department? 2 A. I don't understand that. 3 Q. I mean like any written documents from the sheriff's department. Have you seen or did you review 6 any of those yesterday? 4 A. I don't know. 5 Q. If you did, you just don't remember right now 9 is what you're saying? 6 A. Right. 7 Q. Tell me what you're claiming in this lawsuit. 8 A. What do you mean? 9 Q. Why did you file this lawsuit? 10 A. Why did I file the lawsuit? 11 Q. Right. 12 A. Because for the roadblocks in Canton, because 16 for the jump-out boys always jumping out unnecessarily. 13 Q. So roadblocks and jump-out boys. Anything 18 else? 14 A. I can't think of nothing else. 15 Q. Roadblocks -- What's your problem with the 22 roadblocks? 16 A. Well, they are always -- 17 MR. TOM: Objection. She didn't say a problem. 18 BY MR. GRAVES:</p>	<p style="text-align: right;">Page 17</p> <p>1 Q. You can answer. Go ahead. 2 A. Well, the roadblocks are always in the black neighborhoods. 3 Q. Are you saying that the sheriff's department 5 always has roadblocks in the black neighborhoods? 4 A. That's what I said. 5 Q. Do you know if they do roadblocks in other 8 neighborhoods also? 6 A. What do you mean other? 7 Q. Like white neighborhoods? 8 A. No. 9 Q. You don't know? 10 A. I haven't seen any. 11 Q. You say you haven't seen any, but do you know 15 that they don't, or you just haven't seen them? 12 A. Say that again. 13 Q. I'm asking you, are you sure that they don't, 18 or are you just saying you haven't seen them? 14 A. I'm pretty sure that they don't. 15 Q. Why do you say that? 16 A. Because whatever roadblocks is at, most people 22 put it on Facebook or they're going to text you and let 23 you know. They haven't texted one time to say it's a 24 roadblock over in the white neighborhood. There's a lot 25 of blacks who live in the white neighborhoods.</p>

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1 Q. So what you're saying is you have gotten 2 notifications of roadblocks in black neighborhoods, but 3 you have never gotten notification of roadblocks in 4 white neighborhoods?	1 A. I don't remember about that.
5 A. That's what I said.	2 Q. Let me ask you this: Where have you been 3 stopped at a roadblock before?
6 Q. Do you have a copy of any of those texts?	4 A. King Ranch Road, Adeline.
7 A. No. I should have saved them.	5 Q. Adeline?
8 Q. When was the last time you got one of those 9 texts?	6 A. And Martin Luther King, yes. On 22 and King 7 Ranch Road.
10 A. I would say about three months ago.	8 Q. All right, let me go through those one at a 9 time. Adeline, Martin Luther King, King Ranch Road.
11 Q. Do you remember what roadblock locations were 12 on that text message?	10 Anywhere else?
13 A. No.	11 A. 22 and King Ranch Road.
14 Q. Who sent you the text?	12 Q. Highway 22?
15 A. Some friends.	13 A. Yes.
16 Q. What are their names?	14 Q. That's separate from -- When you say King Ranch 15 Road, that's a different --
17 A. I don't even remember.	16 A. It runs into 22.
18 Q. What did the text message say?	17 Q. Where else?
19 A. It said, "Roadblocks is over there. It's a 20 roadblock set up over there."	18 A. I don't know. I don't remember.
21 Q. Which street?	19 Q. So the only ones you remember right now are 20 Adeline, Martin Luther King, and Highway 22 and King 21 Ranch Road?
22 A. Mostly be Martin Luther King and King Ranch 23 Road.	22 A. That's the only ones I remember at this moment.
24 Q. Martin Luther King and King Ranch Road. What 25 else?	23 Q. When was the last time you were stopped at 24 Adeline?
25 A. Oh, that's been about a year ago.	24 A. Oh, that's been about a year ago.
Page 20	
1 Q. What about at Martin Luther King?	1 it kind of frightened them a little bit.
2 A. At Martin Luther King, that's been maybe six 3 months ago, if not sooner.	2 Q. Which grandchildren were in the car with you?
4 Q. What about at Highway 22 and King Ranch Road?	3 A. [REDACTED] was in there and [REDACTED] was in the car 4 with me.
5 A. That might have been about seven or eight 6 months ago.	5 Q. [REDACTED] and [REDACTED]
7 Q. Let me ask you this: Have you ever gotten a 8 citation at any of these roadblocks?	6 A. Yes, and [REDACTED] was in 7 there. She was in the car.
9 A. No.	8 Q. Now, that process you have just described, is 9 that pretty much the same process you have experienced 10 at all of the roadblocks you have got stopped at?
10 Q. The last time you were at a roadblock, what I 11 have down is you said about six months ago you were 12 stopped at Martin Luther King?	11 A. No.
13 A. Yes.	12 Q. Let me ask you this: When was there a 13 different process?
14 Q. Do you remember what happened at that 15 roadblock?	14 A. No, it wasn't any different, but it just wasn't 15 nobody else in the car with me at the time.
16 A. I passed my license. I had my insurance card, 17 but they didn't ask for the insurance card.	16 Q. So what the police officers did was the same; 17 it just may or may not have been somebody else riding 18 with you?
18 Q. So you showed them that, and they gave it back 19 to you and told you to keep going?	19 A. They ain't did nothing different.
20 A. No. They got it and looked and walked to the 21 back of the car and checked my tag back there. They 22 might have called it in because it took them a few 23 minutes for them to bring it back. Then when they 24 brought it back, they gave it to me and flashed the 25 light in the car. My grandchildren were in there, and	20 Q. Were they stopping every car that came through 21 at these roadblocks?
	22 A. That was in front of me.
	23 Q. Now, you said the jump-out boys. Who are the 24 jump-out boys?
	25 A. They are plain-dressed -- plain-dressed and no

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<p>1 window. My sister was there. My girls were there.</p> <p>2 Q. What's your sister's name? [REDACTED]</p> <p>4 Q. Can you spell that for me? [REDACTED]</p> <p>6 Q. Where does she live? 7 A. She lives over there on Short Hickory.</p> <p>8 Q. Short? 9 A. Yes, Short Hickory.</p> <p>10 Q. Short Hickory? 11 A. Yes.</p> <p>12 Q. Is that in the Canton area? 13 A. Yes, it is.</p> <p>14 Q. What's her phone number, do you know? 15 A. I don't have my phone with me, and it's in my phone.</p> <p>17 Q. Do you know what her address is? You said the street, but can you remember what the number is? 19 A. I don't know.</p> <p>20 Q. All right. And then you said your girls were there. Were all three of them -- all four of them there? 23 A. I know three were there.</p> <p>24 Q. Which ones were there? 25 A. [REDACTED] was there, [REDACTED] was there, and [REDACTED]</p>	<p>Page 26</p> <p>1 was there.</p> <p>2 Q. All right. So let's go back. You said you were in the house at the time they pulled up?</p> <p>4 A. I didn't see them pull up. They didn't pull up at my house.</p> <p>6 Q. Okay, where did they pull up? 7 A. Around the corner. I live in a circle, and 8 they pulled up there in that, around the corner in the 9 curve.</p> <p>10 Q. Okay, let me back up. Who was outside at the 11 time? 12 A. My husband was outside, my son was outside, my 13 grandson was outside, and some of my husband's friends 14 were outside.</p> <p>15 Q. Which grandson is that? 16 A. [REDACTED]</p> <p>17 Q. [REDACTED] mother? 18 A. [REDACTED]</p> <p>21 Q. So who else was outside? 22 A. Some of my husband's friends. I don't remember 23 who all it was.</p> <p>24 Q. Tell me what you remember. What happened? 25 What were you doing at the time?</p>	<p>Page 27</p>
<p>1 A. I was in the kitchen looking out the window 2 seeing to some meat in the sink when I saw them, so I 3 went to the other window and looked out the window, you 4 know, to see what was going on over on that side.</p> <p>5 Q. What did you see? 6 A. I saw two white men dressed in plainclothes, 7 and they had their guns and stuff. They had the stun 8 gun and the real gun. And they were searching everybody 9 outside. And they didn't find nothing in their pockets, 10 and then they searched the ground. And they didn't find 11 nothing on the ground, and they left.</p> <p>12 Q. They never came inside the house? 13 A. No, they never came inside the house.</p> <p>14 Q. Did you have a conversation with them? 15 A. No, I did not.</p> <p>16 Q. Did you hear any conversations? 17 A. Did I hear any conversations with them?</p> <p>18 Q. Right. 19 A. Yes because the kitchen window was up, and I 20 was right there at the kitchen window. They just asked, 21 "Have y'all got any illegal drugs out here?" I heard 22 that.</p> <p>23 Q. Do you know what time of day it was? 24 A. It was mid-afternoon.</p> <p>25 Q. Was anybody arrested?</p>	<p>Page 28</p> <p>1 A. No.</p> <p>2 Q. How long were they there? 3 A. They weren't there no more than about 5 4 minutes. If I had timed them, that's what I would say.</p> <p>5 Q. Is that the only time plainclothes deputies 6 have come to your house? 7 A. No.</p> <p>8 Q. When else have they come to your house? 9 A. They came into my yard. My grandson was 10 walking across the street. He lives across the street. 11 And they were coming by, and as he made it from his 12 house over across the street to my yard, they came by 13 and jumped out of the truck. And he didn't have a shirt 14 on, and they grabbed him by his hand and they searched 15 him. And they asked him what he was doing.</p> <p>16 I told them -- I jumped up off my porch, and I said, 17 "That's my grandson. He was just coming over here to 18 fix his brother's bike." And they let him go. They 19 said, "Next time tell him to put a shirt on," and they 20 got in their truck and left.</p> <p>21 Q. What's your grandson's name? 22 A. [REDACTED]</p> <p>23 MR. GRAVES: Let's take a quick break. 24 (A short break was taken off the record at 25 9:31 a.m.)</p>	<p>Page 29</p>

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<p style="text-align: right;">Page 34</p> <p>1 A. What that is?</p> <p>2 Q. Like Facebook, Instagram, any of those things?</p> <p>3 A. I have Facebook on my phone. I don't post anything on Facebook unless it's a happy birthday.</p> <p>5 Q. Is Facebook one of the ways you said you get these notices about roadblocks?</p> <p>7 A. It's text messages. They will send texts.</p> <p>8 People will send texts. And they will send it in a group, so a lot of people will get that.</p> <p>10 Q. A group text message?</p> <p>11 A. Yes.</p> <p>12 Q. I know you said you haven't met any of the other plaintiffs in this lawsuit. Do you know what any of them are claiming?</p> <p>15 A. Do I know them?</p> <p>16 Q. Do you know what they are claiming in this lawsuit, what type of claims they have alleged?</p> <p>18 A. No. No, I don't.</p> <p>19 Q. Have you tried to get anybody else to join in this lawsuit?</p> <p>21 A. Have I tried to get anybody else to join in this lawsuit?</p> <p>23 Q. Right.</p> <p>24 A. I'm not going to answer that. I don't want to answer that question.</p>	<p style="text-align: right;">Page 35</p> <p>1 Q. Well, go ahead.</p> <p>2 MR. TOM: You have to answer it.</p> <p>3 DEPONENT: I have to answer that?</p> <p>4 MR. TOM: Yes, just go ahead and answer.</p> <p>5 A. I have talked to some people about that.</p> <p>6 BY MR. GRAVES:</p> <p>7 Q. Who have you talked to?</p> <p>8 A. Who have I talked to? Some friends.</p> <p>9 Q. Who?</p> <p>10 A. I have to answer that as well?</p> <p>11 Q. Yes.</p> <p>12 A. Okay. I talked to Nason. I have talked to Rasheed Davis. I have talked to my son. That's all.</p> <p>14 Q. Did you say Nason?</p> <p>15 A. Nason. N-a-s-o-n.</p> <p>16 Q. What's Nason's last name?</p> <p>17 A. That's their last name.</p> <p>18 Q. Where do the Nasons live?</p> <p>19 A. They live on Holmes Avenue.</p> <p>20 Q. When did you talk to them about trying to get in the lawsuit?</p> <p>22 A. That's been a few months ago.</p> <p>23 Q. What did you tell them?</p> <p>24 A. I just told them about what was going on and asked if they wanted to participate.</p>
<p style="text-align: right;">Page 36</p> <p>1 Q. And what did they say?</p> <p>2 A. They said yes.</p> <p>3 Q. Did you give them any other information?</p> <p>4 A. I just gave them about why we were petitioning and stuff, and that was it.</p> <p>6 Q. When they said they wanted to participate, what did you tell them to do?</p> <p>8 A. Talk to some of the people that I was talking to.</p> <p>10 Q. People where? At the ACLU or something?</p> <p>11 A. Yes.</p> <p>12 Q. Rasheed Davis, is that one person?</p> <p>13 A. Yes, it is.</p> <p>14 Q. And when did you talk to Rasheed?</p> <p>15 A. I talked to him all during the summer.</p> <p>16 Q. Where did he live?</p> <p>17 A. He lives in Jackson -- Ridgeland.</p> <p>18 Q. You said Jackson?</p> <p>19 A. I would say Ridgeland.</p> <p>20 Q. Okay. How do you know Rasheed?</p> <p>21 A. He cuts my hair.</p> <p>22 Q. So what did you tell him about this lawsuit?</p> <p>23 A. I just told him about the roadblocks and the jump-out boys and that we were trying to slow them down and stop it.</p>	<p style="text-align: right;">Page 37</p> <p>1 Q. Did he say he wanted to be involved or not?</p> <p>2 A. He was involved.</p> <p>3 Q. I'm talking about in this lawsuit.</p> <p>4 A. That's what I'm talking about. He was involved, but he dropped out of it.</p> <p>6 Q. When did he drop out?</p> <p>7 A. I don't know when he dropped out.</p> <p>8 Q. How long ago was it when you all had the conversation initially about him being involved? You said over the summer?</p> <p>11 A. Yes.</p> <p>12 Q. What about your son, when did you have conversations with him about being involved in this lawsuit?</p> <p>15 A. All the time.</p> <p>16 Q. Has he said whether or not he wants to be involved?</p> <p>18 A. He did, but he dropped out of it too.</p> <p>19 Q. Do you know why he dropped out?</p> <p>20 A. I know why he dropped out, but I'm not going to say.</p> <p>22 Q. Why did he drop out?</p> <p>23 A. I don't want to say.</p> <p>24 Q. Why did he drop out? You have to tell me.</p> <p>25 A. No, I don't want to tell you.</p>

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Page 38		Page 39
1 Q. Why did he drop out?	1 A. No.	
2 A. I'm not going to say.	2 Q. Have you ever called the sheriff's department	
3 Q. Do you keep a journal or a diary?	3 for any reason?	
4 A. No.	4 A. Yes.	
5 Q. I know you said on Facebook you usually do	5 Q. What did you call them for?	
6 birthdays or something like that. Have you posted	6 A. I called them for when my son was missing for a	
7 anything about this lawsuit?	7 few days. I called them, and it has been a long, long	
8 A. No.	8 time ago, but when my daughter left and left her baby	
9 Q. Have you posted anything about the Madison	9 and didn't come home for a couple of days. And that was	
10 County Sheriff's Department?	10 it.	
11 A. No.	11 Q. When your son went missing, did they help you	
12 Q. Have you had any other pages other than	12 find your son, or did he just show back up?	
13 Facebook where you used to have them but you deleted	13 A. He showed up when he realized I had called the	
14 them or you no longer use them?	14 sheriff's department.	
15 A. About what?	15 Q. What about the incident with your daughter,	
16 Q. I mean like any other social media pages	16 what did they do then?	
17 similar to Facebook where you used to have a page but	17 A. I went to the city police department.	
18 you don't have it now?	18 Q. So the Canton City Police?	
19 A. No.	19 A. Yes. I went there because where she was, it	
20 Q. Do you have any documents from any of the	20 was in the city limits.	
21 roadblocks you got stopped at?	21 MR. GRAVES: Let's take one more break. I'm	
22 A. No.	22 almost done, I think.	
23 Q. Any documentation regarding any of those?	23 (A short break was taken off the record at	
24 A. No.	24 9:52 a.m.)	
25 Q. What about for the barbecue thing?	25 (Deposition resumed on the record at	
Page 40		Page 41
1 10:02 a.m.)	1 A. I really found out about this lawsuit through	
2 MR. TOM: Before we start, I would like to mark	2 some friends.	
3 as confidential any of the minor children -- or just	3 Q. Who talked to you about it first?	
4 minors that Ms. Tucker has mentioned in the deposition.	4 A. Rasheed Davis.	
5 MR. GRAVES: Okay, do you mean the --	5 Q. So he told you about the lawsuit first?	
6 MR. TOM: Just their names and information.	6 A. Yes.	
7 BY MR. GRAVES:	7 Q. Because I'm going back, and I think initially	
8 Q. [REDACTED]	8 you were saying that this summer you were trying to talk	
[REDACTED]	9 him into getting involved in this lawsuit, right?	
[REDACTED]	10 A. No, I was trying to get him to join me with the	
[REDACTED]	11 lawsuit, but he explained to me why he couldn't	
[REDACTED]	12 participate in it.	
[REDACTED]	13 Q. Why is that?	
[REDACTED]	14 A. [REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	17 Q. But he actually told you about the lawsuit	
[REDACTED]	18 before you talked to him about it?	
[REDACTED]	19 A. Yes, he did.	
[REDACTED]	20 Q. When was that?	
[REDACTED]	21 A. That was sometime this year or last year one.	
[REDACTED]	22 Q. And what did he say about it when he first told	
[REDACTED]	23 you about it?	
[REDACTED]	24 A. He said, "You all have roadblocks on y'all's	
[REDACTED]	25 road a lot." I said, "I know." He said, "There are	

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1	some people who can help y'all out with that," and he	1	Q. And just to be sure, you did say James was at
2	told me -- he gave me Jade and them's number, and I	2	that cookout, right?
3	called them.	3	A. Yes.
4	Q. Did he give you a business card, or he just	4	MR. GRAVES: That's all the questions I have.
5	gave you a phone number?	5	MR. TOM: No questions from us.
6	A. He gave me a phone number.	6	(Whereupon, the above-entitled deposition was
7	Q. [REDACTED]	7	concluded at 10:07 a.m.)
	[REDACTED]	8	
	[REDACTED]	9	
	[REDACTED]	10	
	[REDACTED]	11	
	[REDACTED]	12	
	[REDACTED]	13	
14	Q. When you got that number, you said you got the	14	
15	number for Jade?	15	
16	A. Yes.	16	
17	Q. Did you call her?	17	
18	A. Sure, I did.	18	
19	Q. Do you remember when that was?	19	
20	A. No, I don't.	20	
21	Q. Kendrick, do you know when his birthday is?	21	
22	A. July 25th, 19 -- I don't know the year of his	22	
23	birthday, but I know it's July 25th.	23	
24	Q. Do you know about how old he is?	24	
25	A. He's 25.	25	
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1	IN THE UNITED STATES DISTRICT COURT	1	ERRATA SHEET
	FOR THE SOUTHERN DISTRICT OF MISSISSIPPI	2	PAGE LINE CORRECTIONS (IF ANY)
	JACKSON DIVISION	3	_____
3	LATOYA BROWN; LAWRENCE BLACKMON	4	_____
	HERBERT ANTHONY GREEN; KHADAFY MANNING;	5	_____
4	QUINETTA MANNING; MARVIN MCFIELD;	6	_____
	NICHOLAS SINGLETON; STEVEN SMITH;	7	_____
5	BESSIE THOMAS; and BETTY JEAN WILLIAMS	8	_____
	TUCKER, individually and on behalf of a	9	_____
6	class of all other similarly situated, PLAINTIFFS	10	_____
7	VERSUS CIVIL ACTION NO. 3:17-cv-347 WHB LRA	11	_____
8	MADISON COUNTY, MISSISSIPPI;	12	_____
	SHERIFF RANDALL S. TUCKER, in his	13	_____
9	official capacity; and MADISON COUNTY	14	_____
	SHERIFF'S DEPUTIES JOHN DOES #1 through #6,	15	_____
10	in their individual capacities, DEFENDANTS	16	_____
11	CERTIFICATE OF DEponent	17	_____
12	I, BETTY JEAN WILLIAMS TUCKER, do hereby certify	18	_____
13	that I have read the deposition and that it is a true	19	_____
14	and accurate transcription of the deposition given by me	20	_____
15	in this cause with the corrections or addition, if any,	21	_____
16	indicated by me on the attached errata sheet.	22	_____
17		23	_____
18	BETTY JEAN WILLIAMS TUCKER	24	_____
19		25	_____
20	Subscribed and sworn to before me this _____ day of		
21	_____, 201_____. _____		
22	NOTARY PUBLIC		
23			
24	MY COMMISSION EXPIRES:		
25	_____		

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1 CERTIFICATE OF COURT REPORTER
2 I, BECKY LYNN LOGAN, Court Reporter and Notary
3 Public, in and for the County of Lincoln, State of
4 Mississippi, do hereby certify:

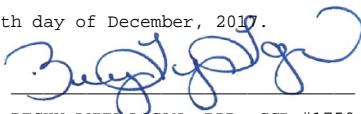
5 That on the 19th day of December, 2017, there
6 appeared before me BETTY JEAN WILLIAMS TUCKER;

7 That the witness was sworn by me to tell the
8 truth, the whole truth, and nothing but the truth in
9 said cause;

10 That the foregoing pages contain a full, true,
11 and correct transcription of all testimony of said
12 witness as taken by me at the time and place heretofore
13 stated;

14 That I am not of kin or in anywise associated
15 with any of the parties to said cause of action or their
16 counsel, and that I am not financially interested in the
17 action.

18 IN WITNESS WHEREOF, I have hereunto set my hand
19 and seal, this the 26th day of December, 2017.



BECKY LYNN LOGAN, RPR, CCR #1750



24 MY COMMISSION EXPIRES: September 10th, 2021
25

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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

LATOYA BROWN; LAWRENCE BLACKMON; HERBERT ANTHONY GREEN; KHADAFY MANNING; QUINNETTA MANNING; MARVIN MCFIELD; NICHOLAS SINGLETON; STEVEN SMITH; BESSIE THOMAS; and BETTY JEAN WILLIAMS TUCKER, individually and on behalf of a class of all others similarly situated,

Plaintiffs,

v.

MADISON COUNTY, MISSISSIPPI; SHERIFF RANDALL S. TUCKER, in his official capacity; and MADISON COUNTY SHERIFF'S DEPUTIES JOHN DOES #1 through #6, in their individual capacities,

Defendants.

Civil Action No.
3:17-cv-00347-WHB-LRA

PLAINTIFF BETTY JEAN WILLIAMS TUCKER'S SECOND SUPPLEMENTAL RESPONSES AND OBJECTIONS TO DEFENDANTS' FIRST SET OF INTERROGATORIES

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Betty Jean Williams Tucker ("Plaintiff"), by and through her attorneys, hereby submits the following supplemental responses and objections to Interrogatories Nos. 8 and 14 of Defendants' First Set of Interrogatories served by Defendants on Plaintiffs on September 22, 2017 (collectively, the "Interrogatories," and each an "Interrogatory"). The Second Supplemental Responses and Objections set forth below are made in further response to the Interrogatories and supplement the Responses and Objections previously served by Plaintiff.

GENERAL OBJECTIONS

Plaintiff hereby incorporates by reference the General Objections set forth in her Responses and Objections to Defendants' First Set of Interrogatories dated October 20, 2017 and her Supplemental Responses and Objections to Defendants' First Set of Interrogatories dated November 14, 2017. Plaintiff asserts those General Objections as to each Interrogatory, whether or not such objections are repeated below in response to each individual Interrogatory.

SPECIFIC SECOND SUPPLEMENTAL RESPONSES AND OBJECTIONS TO INTERROGATORIES NOS. 8 AND 14

Interrogatory No. 8:

Please identify and describe in detail the form and substance of any policy or procedure of the Defendants or the Madison County Sheriff's Department you contend constitutes a policy sanctioning or encouraging unreasonable searches and seizures or racial discrimination. For each such policy, please state:

- (a) the name of the policy;
- (b) the terms of the policy;
- (c) the date it went into effect;
- (d) the means by which it went into effect;
- (e) how you learned of such policy; and
- (f) the name, address, and telephone number of the person who provided it to you.

Supplemental Response to Interrogatory No. 8:

In addition to the General Objections incorporated herein by reference, Plaintiff objects to Interrogatory No. 8 on the grounds that it seeks information already in the possession, custody, or control of or that is known to, equally available to, or solely available to Defendants. Plaintiff further objects to this Interrogatory on the grounds that it seeks information that is protected from disclosure by, or disclosure of which is prohibited or restricted under, any privilege or immunity, including the attorney-client privilege, the work product doctrine, the joint defense

privilege, the common interest privilege or any other applicable privilege, immunity or limitation on discovery. Plaintiff also objects to this Interrogatory as vague, overbroad, and unduly burdensome. Plaintiff further objects to this Interrogatory because class certification-related discovery is ongoing and incomplete, and to the extent that this Interrogatory purports to require Plaintiffs to marshal evidence in support of any right or claim. Plaintiff also objects to this Interrogatory as vague, overbroad, and unduly burdensome. Plaintiff further objects to this Interrogatory on the grounds that it requests information regarding counsel's preparation of the case on behalf of the named Plaintiffs and the proposed class, rather than information that is within the personal knowledge of Plaintiff. Any information provided by Plaintiff in response to this Interrogatory is provided subject to and without waiver of these objections and qualifications.

Subject to and without waiver of the foregoing objections, and in addition to the information previously provided by Plaintiff in response to this Interrogatory, Plaintiff states that policies and procedures of Defendants or the Madison County Sheriff's Department that constitute a policy sanctioning or encouraging unreasonable searches and seizures or racial discrimination include, but are not limited to:

- The Madison County Sheriff's Department's policy, custom, and/or practice of conducting vehicular roadblocks without appropriate procedural safeguards, including (i) roadblocks conducted using unmarked cars, (ii) roadblocks conducted using cars without emergency lighting engaged and/or using flashlights as a primary light source, (iii) roadblocks conducted by plainclothes or undercover officers, including narcotics officers and members of the "NET Team," "Jump Out Detail," and/or "Apartment Detail," (iv) roadblocks conducted in inadequately lit areas, (v) "roving" roadblocks, and (vi)

roadblocks at which officers do not stop every car, but instead use their discretion to only stop certain vehicles.

- The Madison County Sheriff's Department's policy, custom, and/or practice of conducting vehicular roadblocks at which officers require persons other than the driver to produce identification or provide other information, or otherwise search or detain persons without reasonable suspicion or probable cause.
- The Madison County Sheriff's Department's policy, custom, and/or practice of conducting vehicular roadblocks at which Madison County Sheriff's Department personnel stop, question, detain, and/or search pedestrians in the vicinity of the roadblock without reasonable suspicion or probable cause and/or on the basis of race.
- The Madison County Sheriff's Department's policy, custom, and/or practice of stopping, questioning, detaining, and/or searching pedestrians travelling through majority-Black areas of Madison County without reasonable suspicion or probable cause and/or on the basis of race, including as implemented by narcotics officers and members of the "NET Team," "Jump Out Detail," and/or "Apartment Detail."
- The Madison County Sheriff's Department's policy, custom, and/or practice of conducting vehicular roadblocks for the purpose of checking for outstanding warrants, including but not limited to as described in the Notices produced at (i) MC T. CHASTAIN LAPTOP 17, (ii) MC MAD. COUNTY MAIN SERVER 1, and (iii) MC – SANDRIDGE DESKTOP 23, as well as the Notice annexed to the Complaint and the incident report produced at Bates numbers MC-RFP-Inc. Rep. 010886-010887.
- The Madison County Sheriff's Department's policy, custom, and/or practice of disproportionately conducting traffic stops in majority-Black areas, conducting pretextual

traffic stops on the basis of race, and disproportionately issuing citations to and making arrests of Black individuals during traffic stops.

- The Madison County Sheriff's Department's policy, custom, and/or practice of discriminatorily arresting, citing, and/or charging Black individuals at higher rates, and/or with greater severity, than white persons engaged in the same or similar conduct.
- The Madison County Sheriff's Department's policy, custom, and/or practice of entering the homes of Black residents of Madison County without warrants or other valid legal justification in the course of serving warrants and/or conducting investigations, and of conducting unreasonable and warrantless searches of such premises in connection therewith.
- The Madison County Sheriff's Department's deliberate indifference to violations of the Fourth and Fourteenth Amendments by its personnel, as demonstrated by (i) the Madison County Sheriff's Department's failure to adequately train, supervise, and/or discipline officers with respect to unconstitutional policing practices and with respect to officers' exercise of discretion in conducting law enforcement activities, (ii) the Madison County Sheriff's Department's failure to adequately investigate or otherwise respond to citizen complaints, (iii) the Madison County Sheriff's Department's failure to maintain data and/or statistics regarding incidents involving the use of force and the racial composition of persons subject to the Madison County Sheriff's Department's policing activities, and (iv) the Madison County Sheriff's Department's culture of racial discrimination and of explicitly or implicitly condoning, authorizing, and/or acquiescing to racially discriminatory attitudes, statements, and actions by Madison County Sheriff's Department personnel.

The policies, customs, and/or practices described above have been identified through analysis of deposition testimony taken in this Action, documents produced by the parties, and documents received in response to requests made under the Mississippi Public Records Act. Plaintiff's investigation, discovery, and preparation of her case and her legal theories, through counsel, are ongoing, and Plaintiff reserves all rights to identify other policies and/or procedures, to clarify or refine Plaintiff's characterizations of the above-mentioned policies and/or procedures, and/or to rely on other or additional evidence concerning any such policies and/or procedures, including as a result of documentary or testimonial evidence that may be adduced in this Action after the date hereof.

Interrogatory No. 14:

Please state the questions of law and fact you contend are common to the class your Complaint alleges, and identify any documents related to the common questions of law and fact.

Supplemental Response to Interrogatory No. 14:

In addition to the General Objections incorporated herein by reference, Plaintiff objects to Interrogatory No. 14 on the grounds that it seeks information that is protected from disclosure by, or disclosure of which is prohibited or restricted under, the attorney-client privilege, the work product doctrine, the joint defense privilege, the common interest privilege or any other applicable privilege, immunity, or limitation on discovery. Plaintiff further objects to this Interrogatory because class certification-related discovery is ongoing and incomplete, and to the extent that this Interrogatory purports to require Plaintiffs to marshal evidence in support of any right or claim. Plaintiff also objects to this Interrogatory as vague, overbroad, and unduly burdensome. Plaintiff further objects to this Interrogatory on the grounds that it requests information regarding counsel's preparation of the case on behalf of the named Plaintiffs and the proposed class, rather than information that is within the personal knowledge of Plaintiff. Any

information provided by Plaintiff in response to this Interrogatory is provided subject to and without waiver of these objections and qualifications.

Subject to and without waiver of the foregoing objections, and in addition to the information previously provided by Plaintiff in response to this interrogatory, Plaintiff states that the existence, scope, and implementation of the following policies and/or procedures of the Madison County Sheriff's Department constitute common questions that are appropriately resolved on a class-wide basis:

- The Madison County Sheriff's Department's policy, custom, and/or practice of conducting vehicular roadblocks without appropriate procedural safeguards, including (i) roadblocks conducted using unmarked cars, (ii) roadblocks conducted using cars without emergency lighting engaged and/or using flashlights as a primary light source, (iii) roadblocks conducted by plainclothes or undercover officers, including narcotics officers and members of the "NET Team," "Jump Out Detail," and/or "Apartment Detail," (iv) roadblocks conducted in inadequately lit areas, (v) "roving" roadblocks, and (vi) roadblocks at which officers do not stop every car, but instead use their discretion to only stop certain vehicles.
- The Madison County Sheriff's Department's policy, custom, and/or practice of conducting vehicular roadblocks at which officers require persons other than the driver to produce identification or provide other information, or otherwise search or detain persons without reasonable suspicion or probable cause.
- The Madison County Sheriff's Department's policy, custom, and/or practice of conducting vehicular roadblocks at which Madison County Sheriff's Department

personnel stop, question, detain, and/or search pedestrians in the vicinity of the roadblock without reasonable suspicion or probable cause and/or on the basis of race.

- The Madison County Sheriff's Department's policy, custom, and/or practice of stopping, questioning, detaining, and/or searching pedestrians travelling through majority-Black areas of Madison County without reasonable suspicion or probable cause and/or on the basis of race, including as implemented by narcotics officers and members of the "NET Team," "Jump Out Detail," and/or "Apartment Detail."
- The Madison County Sheriff's Department's policy, custom, and/or practice of conducting vehicular roadblocks for the purpose of checking for outstanding warrants, including but not limited to as described in the Notices produced at (i) MC T. CHASTAIN LAPTOP 17, (ii) MC MAD. COUNTY MAIN SERVER 1, and (iii) MC – SANDRIDGE DESKTOP 23, as well as the Notice annexed to the Complaint and the incident report produced at Bates numbers MC-RFP-Inc. Rep. 010886-010887.
- The Madison County Sheriff's Department's policy, custom, and/or practice of disproportionately conducting traffic stops in majority-Black areas, conducting pretextual traffic stops on the basis of race, and disproportionately issuing citations to and making arrests of Black individuals during traffic stops.
- The Madison County Sheriff's Department's policy, custom, and/or practice of discriminatorily arresting, citing, and/or charging Black individuals at higher rates, and/or with greater severity, than white persons engaged in the same or similar conduct.
- The Madison County Sheriff's Department's policy, custom, and/or practice of entering the homes of Black residents of Madison County without warrants or other valid legal justification in the course of serving warrants and/or conducting investigations, and of

conducting unreasonable and warrantless searches of such premises in connection therewith.

- The Madison County Sheriff's Department's deliberate indifference to violations of the Fourth and Fourteenth Amendments by its personnel, as demonstrated by (i) the Madison County Sheriff's Department's failure to adequately train, supervise, and/or discipline officers with respect to unconstitutional policing practices and with respect to officers' exercise of discretion in conducting law enforcement activities, (ii) the Madison County Sheriff's Department's failure to adequately investigate or otherwise respond to citizen complaints, (iii) the Madison County Sheriff's Department's failure to maintain data and/or statistics regarding incidents involving the use of force and the racial composition of persons subject to the Madison County Sheriff's Department's policing activities, and (iv) the Madison County Sheriff's Department's culture of racial discrimination and of explicitly or implicitly condoning, authorizing, and/or acquiescing to racially discriminatory attitudes, statements, and actions by Madison County Sheriff's Department personnel.

In addition to the above, and in addition to the common questions of law and fact previously identified by Plaintiffs in response to this Interrogatory, the legal questions of whether each of the above-referenced policies of the Madison County Sheriff's Department (i) constitutes a policy, custom, and/or practice that is attributable to Defendants for purposes of liability under Section 1983; (ii) violates the Fourth Amendment to the United States Constitution; and/or (iii) violates the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution constitute common questions that are appropriately resolved on a class-wide basis.

The common questions of fact and/or law described above have been identified through analysis of deposition testimony taken in this Action, documents produced by the parties, and documents received in response to requests made under the Mississippi Public Records Act. Plaintiff's investigation, discovery, and preparation of her case and her legal theories, through counsel, are ongoing, and Plaintiff reserves all rights to identify other common questions of law and/or fact, to clarify or refine Plaintiff's characterizations of the above-mentioned common questions of law and/or fact, and/or to rely on other or additional evidence concerning any such common questions of law and/or fact, including as a result of documentary or testimonial evidence that may be adduced in this Action after the date hereof.

Dated: January 16, 2018

By: /s/ Joshua Tom
Joshua Tom

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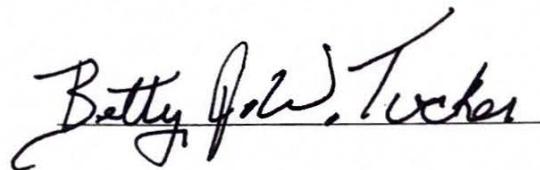
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Verification

I hereby declare under penalty of perjury that the responses contained in the foregoing Supplemental Responses and Objections to Interrogatories propounded by Defendants, which were prepared with the assistance of counsel, are true and correct to the best of my knowledge, information, and belief.

A handwritten signature in black ink, appearing to read "Betty J. W. Tucker". The signature is fluid and cursive, with "Betty" on the first line, "J. W." on the second line, and "Tucker" on the third line.